IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5230 of 2005

Between:

SAMATA DWACA MAHILA GROUP, Rep by its Cherukuri Vanajaakshi Hindu, Ganapavaram Village, Nadendla Mandal, Guntur District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Narasaraopet, Guntur District.
2 The Mandal Revenue Officer, Nadendla Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more one in the nature of Writ of Mandamus declaring the action of the respondents in not allotting the commodities to the petitioner organization when the petitioner's authorization is in force is illegal arbitrary and in violation of the principles of natural justice and in violation of Art, 14 and 21 of constitution of India and consequentially direct the respondents to allot the essential commodities to the petitioner organization till the permanent dealer is appointed or disposal of the disciplinary proceedings against the earlier dealer and pass such other or further order as this Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner: MR.M.SUBBA REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

The grievance of the petitioner is that pursuant to the cancellation of the authorisation of the previous dealer, on various irregularities, the petitioner was granted temporary authorisation from the year 2001 onwards, as a fair price shop dealer. But the stocks of essential commodities are not being supplied to her since recently by the respondents. Hence the present writ petition.

It is to be seen that the petitioner was appointed as a fair price shop dealer on temporary basis. As such she has no vested right. The very purpose of entrustment of distribution of essential commodities to the people on temporary basis, is only keeping in view of the need of the general public and also pending appointment of a dealer on regular basis. No information is forthcoming as to whether any other dealer on permanent basis has been appointed or not in respect of the fair price shop in question.

Having regard to the facts and circumstances of the case, suffice it to close the writ petition with a direction to the respondents to supply the stocks of essential commodities to the petitioner, if no new dealer on permanent basis has been appointed in respect of the fair price shop in question and if there are no

complaints what so ever against the petitioner and if the temporary authorisation of the petitioner has not been either suspended or cancelled.

Accordingly, the writ petition is closed at the stage of admission. No costs.

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kvsn 16-03-2005

To

1 The Revenue Divisional Officer, Narasaraopet, Guntur District.

2 The Mandal Revenue Officer, Nadendla Guntur District.

3 Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.

4 Two CD copies.